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Dear Mr Alonso

Melton Local Plan Update: Issues and Options (Regulation 18) Consultation

Thank you for seeking the views of the Environment Agency as part of your Local Plan Update: Issues and Options (Regulation 18) Consultation. I sincerely apologise for the delay in issuing our response and am very grateful for the extension of time allowing us to respond. Below are responses to those questions in the consultation which fall within the remit of the Environment Agency.

Vision and Objectives

Question 1.

We strongly support Option 2.

Question 2.

We agree with the issues identified in para's 2.2.1 and 2.2.2 regarding the current Vision and the subsequent reasons and recommendation to not retain the current Vision and Objectives. The currently worded Vision does not adequately acknowledge the reasons and need for *environmentally* sustainable development. The new Vision should make it explicit that community's will be continue thrive because the location of new development, its construction and associated infrastructure have taken into account climate change. The new Vision must also place greater emphasis on the importance of a healthy and vibrant natural environment, including the importance of green infrastructure for both wildlife and communities.

Question 3.

We support all of the objectives to be covered. Having regard to our statutory remit and interest we particularly welcome the following:

- . Addressing the causes and effects of climate change.
- . Enhancing nature and minimising harm to the nature environment.
- . Promoting high quality and well-designed development to help create healthy, sustainable and safe communities.

Policy SS1. Presumption in favour of Sustainable Development

Question 4.

We strongly agree with Option 1.

Question 5.

We agree with the Inspectors comments described under Option 1 regarding the reasonableness of retaining the Policy in the Local Plan.

Policy SS4. South Melton Mowbray Sustainable Neighbourhoods

Question 10.

We strongly agree with Option 2.

Question 11.

We welcome and support environmental requirements within the Policy (en2, en6, en7, en8, en9).

Policy SS5. Melton Mowbray North Sustainable Neighbourhood

Question 12.

We strongly agree with Option 2.

Question 13.

We welcome and support environmental requirements within the Policy (en3, en6, en7, en8, en9).

Policy C9. Healthy Communities

Question 26.

We somewhat agree with Option 2.

Question 27.

Our hesitancy to not strongly agree with Option 2 is based on the first bullet point explaining what Option 2 proposes to do. We accept and understand the desire to reduce replication and improve clarity but it should be ensured that it is the case that those health issues associated with those topics listed in brackets are indeed dealt with elsewhere.

Policy EN2. Biodiversity and Geodiversity

Question 49.

We somewhat agree with Option's 2 and 3.

Question 50.

We agree with the pros and cons outlined for each option.

Option 2:

This option has the potential to make the one policy laid out in the most accessible way for both developers and consultees.

Option 3:

Although the number of policies within the Local Plan would increase, this simply

demonstrates the need and importance to protect Melton's Biodiversity and Geodiversity as part of the wider (inter)national biodiversity crisis. Also, as stand-alone criteria, each policy topic has the potential to be seen to be given extra weighting – in a positive way.

Whichever option is chosen, the policy(ies) should include reference to blue infrastructure, watercourses, and other wetland habitats. For example, when referring to Biodiversity Net Gain, reference to the Watercourse Metric should be made.

Policy EN3. The Melton Green Infrastructure Network

Question 51.

We strongly agree with Option 2.

Question 52.

We agree with the justifications made by the council.

We advise that the Policy title is amended to The Melton Green **and Blue** Infrastructure Network.

The following should be considered for inclusion within the Policy:

“Developments shall protect and enhance the Green (and Blue) Infrastructure (G&BI) within Melton Borough Council by helping to maximise its:

- . Extent, whilst having regard to the development needs of the borough.
- . Interconnectedness, enabling individual pieces of G&BI to deliver greater benefits through links to the wider network;
- . Multi-functionality, whilst not detracting from the important primary functions of individual pieces of infrastructure.
- . Quality, ensuring that it can meet its various functions as effectively as possible.

In responding to the above points, developments shall:

- . Respond to the specific location, characteristics and surroundings of the site to take opportunities to incorporate G&BI that can most effectively benefit the wider area, for example providing sustainable urban drainage systems that address identified problems such as flood risk and water quality, and deliver environmental and quality of life benefits;
- . Ensure that G&BI is central to the design, rather than being relegated to 'left-over' land;
- . Use land and building surfaces creatively to maximise on-site GI provision, particularly within any areas where there are currently major GI deficits
- . Ensure that appropriate long-term management and maintenance measures are in place for any G&BI”.

Policy EN8. Climate Change

Question 58.

We strongly agree with Option 3.

Question 59.

Making climate change a core thread that runs throughout the entire plan embeds this critical issue as a priority for the whole Plan – something which we welcome and strongly support. It is equally important to ensure this is underpinned by a strong Vision and Objectives. We welcome the ways in which it is proposed the policy will be revised. On sustainability statements, we consider this element could be made more definitive by stating *when* they will be required, rather than *may* be required, if this is possible. We strongly advise that the revised wording of the policy states that the applicant is required to set out how the requirements of the policy have been complied with.

Policy EN9. Ensuring Energy Efficiency and Low Carbon Development**Question 60**

We somewhat agree with Option 2 and somewhat agree with Option 3.

Question 61

We understand the Council's justification for Option 2 being the preferred approach and accept that this is probably the most pragmatic and efficient course to follow at the present time. However we would not want this to preclude the Council pursuing Option 3 when developing a new local plan for the future. We would strongly support this approach being taken and it would be an opportunity for the council to be seen as an exemplar in this important aspect of climate change.

Policy EN10. Energy Generation from Renewable and Low Carbon Sources**Question 62**

We strongly agree with Option 2.

Question 63

It is important for local factors to be able to be a consideration. We are supportive of sustainable renewable energy in a manner which protects and enhances the environment, whether on a local, regional, national or international level. While we do not favour particular renewable schemes over others, we are supportive of technologies and approaches which consider environmental risks early and comprehensively and which minimise the impacts and risks to people and the environment – air, land and water. The technologies and approaches used must also be fit for the future, including resilience to the impacts of climate change.

Policy EN11 - Minimising the Risk of Flooding**Question 64**

We somewhat agree with Options 2 and 3.

Question 65.

Policy EN11 largely reinforces the National Planning Policy Framework (NPPF) and planning practice guidance (PPG). Melton Borough Council should consider whether repeating these requirements within Policy EN11 adds any weight to planning decisions. The Environment Agency uses NPPF and PPG with considerable weight when responding to planning consultations.

Option 3 seeks to simplify EN11 by removing the technical requirements which are detailed within NPPF and PPG. The Environment Agency has no concerns with this approach.

The review of EN11 provides an opportunity to strengthen national flood risk policy and guidance, particularly around capitalising on the opportunities presenting by new development to reduce off-site flood risk. Melton is in a rare position geographically, with the source of its dominant river catchments being within the borough and receiving very little flow from neighbouring authorities. This gives Melton a greater level of control on its flood risk, so there are greater direct benefits to Melton of having strong local policy around preserving and enhancing natural flood plains.

Paragraph 170 of the NPPF states that '*where possible, [development] will reduce flood risk overall*'. The wording of this statement provides developers an opportunity to not provide off-site betterment. This could be strengthened by EN11 by requiring all major development within 8 metres of a main river (and ordinary watercourse) to enhance the river corridor through the creation of additional flood storage capacity and riparian habitat. Such enhancements to the River Wreake, River Eye, Scalford Brook, Thorpe Brook, Burton Brook and Austen Dyke, would provide greater flood resilience to Melton Mowbray and the downstream villages along the Wreake Valley.

Policy EN12. Sustainable Drainage Systems

Question 66

We strongly agree with Option 2.

Question 67

We agree with the ways in which it is suggested the policy should be enhanced. We do also wish to advise the council on the following:

In January 2023 Defra announced its intention to implement Schedule 3 of the Flood & Water Management Act. It intends to do this sometime during 2024. Its implementation will change the role of the planning system on SuDS and therefore alter the approach Local Plans should take on this topic. The approach needed will depend on the timings of the Local Plan relative to the implementation of Schedule 3, and will depend on the final details of how Defra implements Schedule 3.

Following implementation of Schedule 3, Local Plans will need to focus on:

- Setting out requirements for the use of SuDS on developments which fall outside the scope of Schedule 3 (e.g. developments that fall below Schedule 3 thresholds)
- Managing the interface between planning and Schedule 3 for both site allocations and windfall development (e.g. including policies that require windfall development proposals to include information at the planning application stage to provide the LPA with confidence that Schedule 3 approval can subsequently be obtained AND ensuring the Local Plan is supported with sufficient evidence that the principle of site drainage is established before a site is allocated)

- Ensure density assumptions (e.g. the quantum of development that can be accommodated on proposed site allocations) account for the space needed to accommodate Schedule 3-compliant SuDS
- Supporting and encouraging SuDS retrofit proposals (e.g. for surface water flood risk management or addressing storm sewer overflow issues)

Where there is a likelihood that a Local Plan will be adopted prior to Schedule 3 implementation, it will be prudent for the Local Plan to include policies to steer development that may come forward during that period. Relevant policies should also include a fall-back approach, in line with the above, for when Schedule 3 implementation takes place.

Policy D1. Raising the Standard of Design

Question 74

We strongly agree with Option 2.

Question 75

We strongly agree with the councils reasons for not favouring Option 1 and support the reasoning given for adopting Option 2.

Question 76

The list of criteria in the current Policy does not adequately include the requirement for the design to take account of climate change and build into the design the consequently appropriate mitigation and adaptation measures. For example, the design code is an opportunity to require measures which reduces the risks of, and increase the resilience to flooding. A criteria of the code could and should be to require multifunctional green and blue infrastructure as an integral part of new development, where at all feasible.

Question 77

From the perspective of the Environment Agency's remit 'Environmental sustainability and adapting to climate change' is an *extremely* important design consideration.

Note:

Appendix B. Definitions linked to specific sections.

We have noticed an error in the Flood Zones [Policy EN11] section. It should read "Within Flood Zone 3, Flood Zone 3a 3b is considered to be functional floodplain, and is at the highest risk within 3 overall".

I hope you find the above comments useful and the Environment Agency looks forward to being consulted on the following stages of your Local Plan process.

Yours sincerely

Mr Nick Wakefield
Planning Specialist

